Remarks

The claim rejections are improper because the newly-cited references do not disclose or contemplate limitations directed to configuring and controlling a control center and its communications with a plurality of IP telephone devices. Generally, the Office Action appears to confuse local control of phone-specific call functions such as call forwarding with the claimed approach to configuring a central control center for controlling communications between the control center and a plurality of IP telephone devices. The following addresses these matters in greater detail.

The Office Action dated April 30, 2008 indicated that claim 15 stands rejected under 35 U.S.C. § 102(e) over Edholm (US 6,449,269); and claims 1-14 and 16-22 stand rejected under 35 U.S.C. § 103(a) over Truetken (US 6,493,324) in view of Edholm. Applicant respectfully traverses these rejections, and further does not acquiesce to any rejection or averment in the instant Office Action unless Applicant expressly indicates otherwise.

The Section 102(e) rejection of claim 15 over the '269 reference is improper because the cited portions of the reference do not disclose limitations directed to a microprocessor that is coupled to a user-interface device and that controls "selected functions of selected IP telephony devices of an IP telephony communications system via the IP telephony communications link." Such an approach may involve, for example, configuring and controlling a (central) controller that interacts with and controls telephony functions for a multitude of telephones on an IP telephony communications system (*see, e.g.*, claim 15 and exemplary embodiments in FIG. 4 and discussed at page 11:21 through page 12:7). The cited portions of the '269 reference refer to an "IP telephone" having an internal controller that communicates with a phone server to carry out only those telephony functions that are specific to the IP telephone (*see, e.g.*, FIG. 1, columns 2:52-60). As shown in FIG. 1 and further discussed at the cited portions of column 4 at lines 42-46, the IP telephone 100 initiates telephone functions that are specific to the phone 100. The server 110 simply responds to call requests, replies and errors on a call-by-call basis (*i.e.*, there is no "configuration" of the server). Applicant has reviewed these and other cited portions of the '269 reference and cannot ascertain any suggestion that the server 110 receives or uses any configuration information. It appears that the server 110 responds to inputs from the IP telephone 100 on a call-by-call basis (*e.g.*, the server 110 responds to call requests as described at column 4:31-34). In this regard, the Office Action's assertion that the cited

server 110 is responsive to configuration selections for a single phone, much less for selected IP telephony devices on a system, is not supported by any of the cited portions of the '269 reference. Applicant therefore submits that the Section 102(e) rejection of claim 15 is improper and should be removed. Applicant further submits that the Section 103 rejections of claims 16-19, which depend from claim 15, should also be removed for reasons including those discussed above.

Applicant respectfully traverses the Section 103 rejections of claims 1-14 and 16-22 because each rejection relies upon cited portions of the '269 reference that, as described above, do not disclose the configuration and control of a central telephone system controller as claimed. As indicated at page 4 of the Office Action, the '324 reference also "fails to explicitly teach a programmable controller, provide user-selected IP telephony configuration information to a control center ... to control communications between, and to programmably configure, the control center and the plurality of IP telephony devices." In attempting to show correspondence to these limitations that are not taught in the '324 reference, the Office Action cites to the identical portions of the '269 reference that are relied upon in the Section 102(e) rejection, which fails for reasons discussed above. Moreover, the '269 reference also fails to teach or suggest limitations directed to programmably configuring a plurality of IP telephony devices, using inputs provided by a user interface/controller. Such an approach is applicable, for example, to controlling the configuration of a multitude of IP telephony devices and a control center, using inputs provided at a single user interface. As discussed above, the cited portions of the '269 reference are directed to call functions for a specific (sole) telephone, do not involve configuration of a control center and further do not involve configuration of other IP telephony devices with inputs made at a separate user interface.

In view of the above, the Section 103 rejections of independent claims 1 and 20 are improper and should be removed. Applicant submits that the rejections of the remaining dependent claims are also accordingly improper (where the rejection of an independent claim is improper, the corresponding Section 103 rejection of claims depending therefrom are also improper).

In addition, the cited references also fail to teach or suggest other limitations in the dependent claims. For instance, the cited references do not disclose a user interface and controller that provide configuration information to programmably configure "the plurality

of CPUs" as in claim 14. As discussed above, the cited telephone function control in the '269 reference is phone-specific for controlling the operation of an individual phone. The cited portion of the '324 reference (column 2:50-3:45) discusses IP telephony communications and a graphical user interface at a particular IP client machine, but does not disclose using inputs received at the user interface to control and configure a different IP telephone. Rather, the cited user interface appears to be hosted at a central IP client machine, and allows remote users to interact with the client machine in accordance with an accessing user's specific telephone needs.

Regarding dependent claim 8, the Office Action has failed to cite any reference that teaches or suggests limitations including "user-access configuration data" and "controlling the scope of configuration selections that can be made by a particular user." Instead of citing a reference that teaches or suggests these limitations, the Office Action has asserted that "[c]laim 17 is substantially similar to claim 8 and is therefore rejected under the same basis." Applicant submits that the rejection of claim 8 does not cite any reference that discloses the above-cited limitations in claim 17, which are different from limitations in claim 8. The Office Action has not asserted, and the Applicant cannot ascertain, where the cited portions of the '324 reference teach any control of user configuration selections with user-access configuration data.

Regarding dependent claim 16, the Office Action has failed to cite any reference that teaches or suggests limitations including "the CPU is adapted to control the scope of IP telephony communications configuration selections that can be made by a particular user." Instead of citing a reference that teaches or suggests these limitations, the Office Action has asserted that the limitations "are substantially similar to claim 12 and are therefore rejected under the same basis." Applicant submits that the rejection of claim 12 does not cite any reference that discloses the limitations in claim 16, which are different from limitations in claim 12.

Regarding dependent claim 21, the cited portion of the '324 reference at column 4:2-12 does not mention, teach or suggest limitations directed to a predefined user-access permission level, or to controlling the scope of control selections that can be made.

Notwithstanding the above, Applicant has amended the claims in an effort to improve readability while largely maintaining the intended (original) claim scope. For example, in claim 1, the "user interface" and "programmable controller" are now recited in

separate clauses, with related limitations from the last two clauses in the original claim now included directly with discussion of the user interface and programmable controller.

New claims 23-27 are also allowable over the cited references for reasons including those discussed above, and because the references do not disclose, teach or suggest limitations including configuring a central controller and/or a plurality of remote IP telephony devices via communications sent to the central controller. Support for these new claims may be found, for example, in the original claims, figures and in the specification (*e.g.*, at page 8:8-23, page 9:18-10:2, and page 14:18-15:6).

In addition to the above, Applicant appreciates the Examiner's time in discussing the instant application over the telephone on July 30, 2008. As discussed, the instant application was filed under 37 C.F.R. §1.53 (as a non-provisional application), yet the transmittal included inconsistencies (*e.g.*, referencing a provisional application). It has been understood by both Applicant and the U.S.P.T.O. that the instant application is a non-provisional application. Also as discussed, the appendix in the specification is extraneous and unnecessary, and is therefore removed in the above amendments.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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